

Certificate of Mailing/Transmission (37 C.F.R. § 1.8(a)):

☐ Pursuant to 37 C.F.R. § 1.8, I hereby certify that this paper and all enclosures are being deposited with the United States Postal Service as first class mail on the date indicated below in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☐ Pursuant to 37 C.F.R. § 1.8, I hereby certify that this paper and all enclosures are being sent via facsimile on the date indicated below to the attention of Examiner _____ at Facsimile No. _____ at _____ a.m./p.m.

☒ Pursuant to 37 C.F.R. § 1.8, I hereby certify that this paper and all enclosures are being transmitted via the Patent and Trademark Office electronic filing system on the date noted below.

Dated: August 13, 2009

Name of Person Certifying: /Kimberly Knapp/
 Printed Name: Kimberly Knapp

Applicant: Jonathan Langberg et al

Examiner: Jason-Dennis Neilken Stewart

Serial No.: 10/715,221

Group Art Unit: 3738

Filing Date: November 17, 2003

Confirmation No. 5022

Title: PERCUTANEOUS MITRAL ANNULOPLASTY WITH CARDIAC RHYTHM MANAGEMENT

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 CFR § 1.56, the references listed on the attached Form PTO-1449 are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application.

I. Timing of the Information Disclosure Statement:

This Information Disclosure Statement is filed:

- ☐ With the new patent application submitted herewith (37 C.F.R. § 1.97(a)).
- ☐ Within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 C.F.R. § 1.491.
- ☐ Before the mailing date of a first Office Action on the merits. In the event, however, that an Office Action has crossed in the mail with this Information Disclosure Statement,
- ☒ the Commissioner is hereby authorized to charge Deposit Account No. 50-1225, Docket No. PVI-5813CIP1CON1, for any fees required pursuant to 37 C.F.R. §§ 1.17(p) or 1.17(i)(1).

- ☐ the statement specified in 37 C.F.R. § 1.97(e) is provided below in accordance with 37 C.F.R. § 1.97(c)(1).

This Information Disclosure Statement is filed:

- ☐ After the first Office Action and more than three months after the application's filing date; or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final rejection or a notice of allowance, whichever occurs first and the Commissioner is hereby authorized to charge Deposit Account No. 50-1225 for the fee (\$180.00) set forth in 37 C.F.R. § 1.17(p) and any additional required fees.

The undersigned certifies that:

- ☒ Each item of information contained in the Information Disclosure Statement was first cited in a communication mailed from any foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

II. Copies of the Cited Items:

- ☒ Copies of all of the items listed on the attached Form PTO-1449 are enclosed except:
- ☒ Copies of the U.S. references are not being submitted pursuant to 37 CFR 1.98(a)(2)(i).

III. Concise Explanation of Relevance:

- ☒ A concise explanation of relevance of the items listed on Form PTO-1449 is not given.
- ☐ A concise explanation of relevance of [some of] the items listed on Form PTO-1449 is in the form of an English language copy of the Written Opinion from a foreign patent office, issued in a counterpart application which refers to the relevant portions of the references (copy attached).

IV. Conclusion:

Citation of the above documents shall not be construed as:

1. an admission that the documents are necessarily prior art with respect to the instant invention;
2. a representation that a search has been made, other than as described above; or
3. an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached form PTO 1449 with initials or other appropriate marks. The commissioner is hereby authorized to charge Deposit Account No. 50-1225, Docket No. PVI-5813CIP1CON1 for any additional fees required in connection with the filing of this Information Disclosure Statement.

Date: August 13, 2009

Respectfully submitted,

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